



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

KUBOTA et al

Atty. Ref.: 1207-114; Confirmation No. 2888

Appl. No. 10/528,155

TC/A.U. 1794

Filed: March 17, 2005

Examiner: Miller

For: HEAT-RESISTANT EXPANDED GRAPHITE SHEET

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February 26, 2009

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE**

This responds to the issues raised in the Official Action of September 5, 2008, a Final Rejection.

**Response to Prior Art-Based Rejection**

All pending claims stand rejected as being "obvious" over U.S. 6,746,768 Greinke in view of newly cited Olstowski U.S. 3,423,496.

Claims 1-7 were rejected under Section 103(a) as allegedly unpatentable over Greinke (U.S. Patent 6,746,768) in view of newly cited Olstowski (U.S. Patent 3,423,496). Applicants traverse.

The combination of the Greinke and Olstowski patents do not render obvious the claimed invention because all limitations of independent claims 1 and 8 are not fairly taught or suggested in the cited patents. Moreover, claims depending from those independent claims are also not made obvious by the documents because the limitations of an independent claim are incorporated in their dependent claims. M.P.E.P. § 2143.03 citing *In re Fine*, 5 USPQ2d 1596 (Fed. Cir. 1988).

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